

Frequently Asked Questions

New Regulations for the Coastal Migratory Pelagic Fishery of the Gulf of Mexico and South Atlantic Region Amendment 20A

June 2014

What regulatory changes are implemented through Amendment 20A?

- For the Gulf of Mexico, the new regulations prohibit the sale of king and Spanish mackerel caught under the bag limit unless those fish are either caught on a for-hire trip and the vessel has both a for-hire and commercial vessel permit, or the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity.
- For the Atlantic region, the new regulations prohibit the sale of king and Spanish mackerel caught under the bag limit unless the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity.
- The regulations remove the income qualification requirement for king and Spanish mackerel commercial permits.

Why is the sale of recreationally caught king and Spanish mackerel now prohibited in the Gulf of Mexico and Atlantic?

- All fish harvested in federal waters that are sold are considered commercial harvest and count towards a species' commercial quota, whether or not the fisherman has a federal commercial permit.
- NOAA Fisheries and the Gulf of Mexico and South Atlantic Fisheries Management Councils are concerned that landings from trips by recreational fishermen that were sold may have contributed significantly to the commercial quota and led to early closures in the commercial sector.
- Restricting sale of fish caught under the bag limit should improve the accuracy of data by reducing "double counting" – harvest from a single trip counting towards both the commercial quota and recreational allocation. This practice occurs when the same catches are reported through recreational surveys and commercial trip tickets and logbooks.

When can mackerel be sold that are landed during a for-hire trip in federal waters off Florida?

- Mackerel harvested aboard a vessel with only a federal coastal migratory pelagic charter/headboat permit can only be sold during a state-permitted tournament as described above. A commercial permit is needed to sell king or Spanish mackerel.
- Mackerel harvested aboard a dually permitted vessel (having both a federal charter/headboat permit **and** a commercial king or Spanish mackerel permit) can be sold if caught on a for-hire trip in federal waters of the Gulf, but not federal waters of the Atlantic.
- The division between the Gulf and Atlantic is a line extending off Key West. Therefore:
 - *Off the east coast of Florida and south of the Florida Keys*, mackerel harvested during a for-hire trip **cannot be sold**, unless they meet the tournament exception. Mackerel harvested aboard a dually permitted vessel can only be sold if the vessel is on a commercial trip.
 - *Off the west coast of Florida and north of the Florida Keys*, mackerel harvested during a for-hire trip **can be sold**, if the vessel is dually permitted.
- A dually permitted vessel is considered to be on a for-hire trip when it carries a passenger who pays a fee or when there are more than three persons aboard, including operator and crew.

Why eliminate the income qualification requirement?

- Previously, to obtain or renew a king or Spanish mackerel commercial permit, a minimum amount of the applicant's earned income must have been derived from commercial or for-hire fishing. This requirement was difficult to enforce.
- No other federal permit issued by the Southeast Region has an income requirement except the spiny lobster permit, which mirrors requirements by Florida.

When are these new regulations effective?

- Most of the regulations are effective July 16, 2014.
- The tournament provisions are effective August 7, 2014, because they contain an exception to requirements for the new Southeast Federal Dealer Permit. That permit is required for all dealers of federally managed species beginning August 7, 2014 (see http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_sa/generic/2013/dealer_reporting/index.html for more details about the dealer permit).

Where can I find more information on management of the coastal migratory pelagics fishery?

- For more information, please visit http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_sa/cmp/index.html.